

TEXAS TRANSPORTATION COMMISSION

Various County

MINUTE ORDER

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Various District

Transportation Code, §201.206, authorizes the Texas Department of Transportation (department) to accept a donation in any form, including realty, personalty, money, materials, and services, for the purpose of carrying out its functions and duties. Government Code, Chapter 575, requires the governing board of a state agency to acknowledge the acceptance of a donation valued at \$500 or more by majority vote at an open meeting, not later than the 90th day after the date the donation is accepted. It also prohibits a state agency from accepting a donation from a person who is a party to a contested case before the agency until the 30th day after the date the decision in the case becomes final.

The Texas Transportation Commission (commission) has adopted 43 TAC §§1.500-1.506, which relate to the department's acceptance of donations. Section 1.503 authorizes the executive director to approve acceptance of donations to the department and requires that donations valued at \$500 or more must be acknowledged by order of the commission not later than the 90th day after the date the donation is accepted by the department. It further prohibits acceptance of a gift or donation when the donor is subject to department regulation or oversight or when the donor is interested in or likely to become interested in any contract, purchase, payment, or claim with or against the department, except as provided by that section. It also provides that the executive director may approve the acceptance of a donation, notwithstanding the foregoing proscriptions in the rules, if the executive director determines that acceptance would provide a significant public benefit and would not influence or reasonably appear to influence the department in the performance of its duties.

Transportation Code, §223.049 authorizes the department to contract with an owner of land adjacent to a highway that is part of the state highway system to construct an improvement on the highway right of way that is directly related to improving access to or from the owner's land. Exhibit A lists donations resulting from a contract executed by the department under Transportation Code, §223.049 and other donations accepted under Transportation Code, §201.206.

The commission established the Sponsorship Acknowledgement Program under 43 TAC Chapter 12, Subchapter K. The program, which is authorized by the Federal Highway Administration in FHWA Order 5610.1A, allows the department to place signs acknowledging donations made to the department to fund transportation related services. Exhibit B lists donations made to the department under the Sponsorship Acknowledgement Program.

The executive director has determined that the donations identified in the attached exhibits comply with the applicable provisions of 43 TAC §§1.500-1.506, 43 TAC §12.353, Government Code, Chapter 575 and Transportation Code, §201.206, §223.049 and §224.001, and has approved acceptance of those donations. All required donation agreements have been executed under 43 TAC §1.504 and §1.506, as applicable

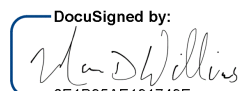
IT IS THEREFORE ORDERED by the commission that it acknowledges the acceptance of the donations identified in the attached Exhibits A and B.

Submitted and reviewed by:

Recommended by:

DocuSigned by:

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Director, Contract Services Division

DocuSigned by:

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Executive Director

116108 September 30, 2021

Minute
Number

Date
Passed

**EXHIBIT A
DONATIONS
September 30, 2021**

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
1.	18245 FM 1431, LLC	Austin District	Travis	The donor is donating the design and construction of a left turn lane on RM 1431 between Nameless Road and Pecan Park Road in Jonestown, Travis County, Texas. All design and construction will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$490,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$490,000.00	8/06/2021
2.	Carma Easton LLC	Austin District	Travis	The donor is donating the design and construction for 1) the widening and overlaying a section of US 183 to accommodate dual northbound left turn lanes, a southbound right turn lane and installation of signal poles at the new intersection of US 183 and E. Slaughter Lane US 183, and widening and transitions to accommodate turn lanes at proposed intersection with proposed E. Slaughter Lane located 1 mile south of new William Cannon Dr. intersection; and 2) the widening and overlaying a section of FM 1625, and widening and transitions to accommodate turn lanes at proposed intersections with proposed E. Slaughter Lane located 1.1 miles South of US 183 intersection in Austin, Travis County, Texas. All design and construction will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$8,100,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$8,100,000.00	8/11/2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
3.	CRMTX18, LLC	Austin District	Hays	The donor is donating the design and construction of a traffic signal modification at the intersection of SH 21 at FM 2720 in Uhland, Hays County, Texas. All design and construction will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$100,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$100,000.00	8/23/2021
4.	CTX SPE 3, LP	Austin District	Bastrop	The donor is donating the design and construction of deceleration lanes on FM 812 from 0.35 miles west of SH 21 to 0.7 miles west of SH 21 in Cedar Creek, Bastrop County, Texas. All design and construction will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$130,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$130,000.00	8/24/2021
5.	Duechelli, LLC	Houston District	Brazoria	The donor is donating the design and construction of a traffic signal and right turn deceleration lane at the intersection of SH 35 and Coral Trails Drive into the donor's development in Alvin, Brazoria County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$350,000.00.	\$350,000.00	8/06/2021
6.	Fulshear Lakes, Ltd.	Houston District	Fort Bend	The donor is donating the design and construction of a traffic signal for a proposed driveway at FM 1093 and Weston Drive, a left turn lane eastbound on FM 1093 into the Fulshear Lakes development, and one right turn lane westbound on FM 1093 into the Fulshear Lakes development in Fulshear, Fort Bend County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$580,000.00. <i>(Replaces previously acknowledged on 9/24/2020 due to a decrease in the estimated value from \$800,000.00 to \$580,000.00.)</i>	\$580,000.00	8/06/2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
7.	HK Potranco Oaks, LLC	San Antonio District	Medina	The donor is donating the design and construction of right turn deceleration lane, traffic control signage, striping and modification of drainage structures on FM 1957 appropriately 4.4 miles north of US 90 in Castroville, Medina County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$250,000.00. <i>(Replaces previously acknowledged on 7/29/2021 due to a decrease in the estimated value from \$400,000.00 to \$250,000.00.)</i>	\$250,000.00	8/11/2021
8.	Lando Development, Ltd.	Houston District	Brazoria	The donor is donating the design and construction of a driveway and left turn lane from southbound SH 35 into the Stone Creek Subdivision in Alvin. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$180,000.00.	\$180,000.00	9/07/2021
9.	Lennar Homes of Texas Land and Construction, Ltd. dba Friendswood Development Company	Houston District	Montgomery	The donor is donating the design and construction of a continuous lane from approximately 500' south of Wilshire Drive to North FM 1485 turn-a-round ramp into the donor's development in New Caney, Montgomery County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$700,000.00.	\$700,000.00	8/13/2021
10.	Lower Troy Development, Inc.	Waco District	Bell	The donor is donating the design and construction of an approximately 465-foot-long left turn lane on LP 363, NE H.K. Dodgen Loop Temple, Bell County, Texas. This project includes all of the requisite asphalt pavement, driveway entry, concrete culvert, sloped end treatments, and grading. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$310,000.00. <i>(Replaces previously acknowledged on 8/31/2021 due to a decrease in the estimated value from \$450,000.00 to \$310,000.00.)</i>	\$310,000.00	8/06/2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
11.	Luckey Ranch San Antonio, LLC	San Antonio	Bexar	The donor is donating the design and construction for the installation of a temporary frontage road extension on US 90 located approximately 1,000 feet east of Wt Montgomery Road in San Antonio, Bexar County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$77,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$77,000.00	8/24/2021
12.	Ly and Nguyen Partners, LLC	Austin District	Travis	The donor is donating the design and construction of the northbound deceleration lane improvements proposed along Parmer Lane just south of the intersection of Harris Ridge Blvd. to serve Driveway 1 of the Parmer Village project in Austin, Travis County, Texas. All design and construction will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$150,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way. <i>(Replaces previously acknowledged on 10/25/2018 due to an increase in the estimated value from \$140,000.00 to \$150,000.00.)</i>	\$150,000.00	8/13/2021
13.	NP-GR Houston Industrial Land, LLC	Houston District	Harris	The donor is donating the design and construction of a right turn deceleration lane into a proposed site driveway with an associated acceleration lane out of the same proposed site driveway and the relocation of an associated storm sewer infrastructure along US Hwy 90 A near Purple Sage Road in Harris County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$300,000.00.	\$300,000.00	8/18/2021
14.	OC Alvin, Ltd.	Houston District	Brazoria	The donor is donating the design and construction of a left turn lane from westbound SH 6 into the donor's development in Alvin, Brazoria County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$35,000.00.	\$35,000.00	9/07/2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
15.	PK Lakeview Point, LLC	Fort Worth	Palo Pinto	The donor is donating sufficient funding, property, and services to provide for land acquisition and exchange of right of way, utility relocation, environmental assessments, schematics, plans, specifications and estimates, construction and construction engineering necessary for relocation of an approximately 0.25-mile length of highway designated as Park Road 36 (PR-36) across landowner's property in Palo Pinto County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$620,000.00. <i>(Replaces donation previously acknowledged for MaBe Lakeview LLC on 5/27/2021 due to a change in donor.)</i>	\$620,000.00	8/13/2021
16.	Precast/Prestressed Concrete Institute	Bridge Division and Material and Tests Division	N/A	The donor is donating airfare, ground transportation, lodging at the conference hotel, conference registration and other directly-related expenses for Jason Tucker, P.E., Section Director, Prefabricated Structural Materials, Materials and Tests Division and Jamie Farris, P.E., Bridge Division Deputy Director to attend the 2021 PCI Committee Days and Technical Conference featuring The National Bridge Conference on September 20, 2021 to September 24, 2021 in Rosemont, Il. All costs will be paid directly by the donor. The estimated value of the donation is \$4,300.00.	\$4,300.00	8/16/2021
17.	Prologis-Exchange TX 2002 LLC	Houston District	Harris	The donor is donating the design and construction of a deceleration lane from westbound Beltway8 into Milner Road in Houston, Harris County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$100,000.00.	\$100,000.00	8/27/2021
18.	Pulte Homes of Texas, L.P.	San Antonio District	Guadalupe	The donor is donating the design and construction of a right turn lane on SH 46 approximately 0.25 mile NW of Cordova Road within the Seguin, Guadalupe County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$150,000.00.	\$150,000.00	9/03/2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
19.	River Campground, LLC	Austin District	Blanco	The donor is donating the design and construction of: 1) pavement widening; 2) addition of left turn lane, right turn lane; and 3) acceleration lane at 1039 Hwy 281 N. in Johnson City, Blanco County, Texas. All design and construction work will be provided by donor, its consultant, or its contractor. The estimated value of the donation is \$490,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$490,000.00	9/01/2021
20.	Seefried Industrial Properties, Inc.	San Antonio District	Bexar	The donor is donating the design and construction of a left turn lane at FM 1346 onto Kiefer Road in San Antonio, Bexar County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$160,000.00.	\$160,000.00	8/11/2021
21.	WCF Development, L.L.C.	Houston District	Galveston	The donor is donating the design and construction of a two-right turn lane from eastbound SH 96 into the donor's development in League City, Galveston County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$150,000.00.	\$150,000.00	8/06/2021

EXHIBIT B
DONATIONS
September 30, 2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION
1	Bangers Austin, LP	Austin	Travis	The donor is donating \$1,724.40 under the Sponsor a Highway Program for a period of 2 years. This is a new contract on an existing sign location.
2	Lamia Kadir M.O. , PA dba Family Medicine Austin	Austin	Travis	The donor is donating \$1,724.40 under the Sponsor a Highway Program for a period of 2 years. This is a new contract on an existing sign location.
3	Total Men's Primary Care	Austin	Travis	The donor is donating \$2,880.00 under the Sponsor a Highway Program for a period of 2 years. This is a renewal contract on two existing sign locations.
4	Elephant Insurance Services, LLC	Dallas	Dallas	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
5	PTS Enterprises Inc	Dallas	Dallas	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
6	Zeus Mortgage, LTD (dba) ZeusLending.com	Houston	Harris	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
7	Iron Cactus	San Antonio	Bexar	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
8	Simmonds Real Estate Inc.	San Antonio	Bexar	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
9	NB Hospital, LLC dba New Braunfels ER & Hospital	San Antonio	Comal	The donor is donating 2 miles of litter pick up per month for 2 years under the Sponsor A Highway Program